



**EXPANDED DEFAULT PROCEDURES IN ROCHESTER AND WATKINS GLEN  
PURSUANT TO STANDING ORDER DATED JUNE 29, 1999  
EXHIBIT A**

INDEX NO.	DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
1	<p>§363(b)-Motion to use, sell or lease property of the estate</p> <p><b>Note: Requests by the moving party can be submitted in default or regular motion format. Do not include default language when using regular motion format.</b></p>	<p>20 days prior to the return date and filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion &amp; pursuant to FRBP 9006(a).</p>	<p><b><u>Chapter 7, 12 &amp; 13</u></b></p> <p>Debtor, debtor s attorney, UST, trustee, all creditors.</p> <p><b><u>Chapter 11</u></b></p> <p>Debtor, debtor s attorney, UST, trustee (if one is appointed), attorney for creditors committee, if any, all creditors.</p>	<p><b><u>Default Format:</u></b> (1) Default language pursuant to Standing Order dated 6/29/99, (2) Proposed order to be attached to the motion as an exhibit, (3) An original order and two copies to be submitted for determination, and (4) Affidavit of Service. <b><u>All motion papers</u></b> must contain the following elements: <b><u>Private Sale:</u></b> (1) Description of property to be sold, (2) Name of purchaser &amp; relationship to debtor, if any, (3) The price received for each item, and (4) Terms of sale. <b><u>Auction Sale:</u></b> (1) Name of auctioneer, (2) Date, time &amp; location of auction, (3) General description of property being auctioned, and (4) Minimum bid, if any. A consent order may be submitted at least one day prior to the return date.</p>

\*At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court  
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2	<p>§1301 -Motion for Relief from Stay of Action against Co-Debtor</p> <p><b>Note: Procedure in accordance with §1301(d)</b></p>	<p>20 days prior to the return date and filed with the Clerk at least 7days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion &amp; pursuant to FRBP 9006(a).</p>	<p><b><u>Chapter 13</u></b></p> <p>Debtor, debtor s attorney , trustee, co-debtor.</p>	<p>(1) Default language pursuant to Standing Order dated 6/29/99 must be included, (2) Proposed order to be attached to the motion as an exhibit, (3) An original order and two copies to be submitted for determination, (4) Affidavit of service. A consent order may be submitted at least one day prior to the return date of the motion.</p>

**\*At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

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3	<p>FRBP 7024-Motion to Intervene</p> <p><b>Note: The below intervention language must be included in Notices of Hearing to Compromise or Settle in a §727 Adversary Proceeding pursuant to FRBP 7024: Creditors may elect to continue the adversary proceeding to deny the discharge of the debtor(s) under 11 U.S.C. §727 by filing a notice of intervention with the Clerk's Office within 3 days of the hearing date. Absent intervention, an Order will be signed approving the compromise/settlement .</b></p>	<p>12 days prior to the return date &amp; filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion &amp; pursuant to FRBP 9006(a).</p>	<p><b><u>Chapter 7, 12 &amp; 13</u></b></p> <p>Plaintiff, plaintiff's attorney, defendant, defendant's attorney, UST, debtor, debtor's attorney, trustee, all creditors.</p> <p><b><u>Chapter 11</u></b></p> <p>Plaintiff, plaintiff's attorney, defendant, defendant's attorney, UST, debtor, debtor's attorney, trustee (if one is appointed), attorney for creditors committee, if any, all creditors.</p>	<p>(1) Default language pursuant to Standing Order dated June 29, 1999, (2) Proposed order attached to the motion as an exhibit, (3) An original order &amp; two copies to be submitted for determination, and, (4) Affidavit of service. A consent order may be submitted at least one day prior to the return date.</p>

\*At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court

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INDEX NO.	DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
4	FRBP 7055 - Motion for entry of default judgment against the debtor	12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).	<p><b><u>Chapter 7, 12 &amp; 13</u></b></p> <p>Debtor, debtor s attorney, UST, trustee, defendant &amp; defendant s attorney.</p> <p><b><u>Chapter 11</u></b></p> <p>Debtor, debtor s attorney, UST, trustee (if one is appointed), defendant &amp; defendant s attorney.</p>	(1) Default language pursuant to Standing Order dated 6/29/99, (2) Documentation in support of request, (3) Judgment by Default (Form D-3), (4) Proposed Order for the Entry of Default Judgment (items #2, #3 & #4 are to be attached to the notice of motion as exhibits), (5) Originals of #3 & #4 must be submitted separately for determination, (6) Affidavit of service, and (7) Four copies of the original Order for the Entry of Default Judgment.

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